



1FR 1753

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| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 10/052,921             |         |
|   | Filing Date          | 11/09/2001             |         |
|   | First Named Inventor | Chunzeng Li            |         |
|   | Art Unit             | 1753                   |         |
|   | Examiner Name        | KAJ K. OLSEN           |         |
| Total Number of Pages in This Submission  | 3                    | Attorney Docket Number | 528.001 |

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| <b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>                            |   |   |
| Firm or Individual name  | Jay G. Durst<br>Boyle Fredrickson Newholm Stein & Gratz S.C.<br>Milwaukee, WI 53202     |   |
| Signature  |   |   |
| Date   | 6/18/2004   |   |

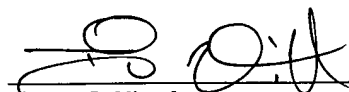
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| Typed or printed name   | Thomas P. Vita, Jr. |                |
| Signature   |                     | Date 6/18/2004 |

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Thomas P. Vita, Jr.

Date: 6-18-04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/052,921

Examiner: KAJ K. OLSEN

Filing Date: 11/09/2001

Group Art Unit: 1753

Inventor: Chunzeng Li

For: SCANNING ELECTROCHEMICAL POTENTIAL MICROSCOPE

Attorney Docket No. 528.001

**REPLY TO RESTRICTION REQUIREMENT**

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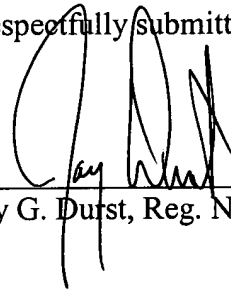
In the Office Action dated May 18, 2004, the Examiner restricted the claims of the present case into two groups (I & II), indicating that the claims of the application define two distinct inventions. In response to the Restriction Requirement, applicant provisionally elects the claims of Group II, including claims 26-35, with traverse.

In the Office Action, paragraph 2, the Examiner states that there are two distinct inventions that are related as process and apparatus for its practice. In particular, the Examiner states that the apparatus can be utilized with non-polar solution or in an STM mode. Applicant respectfully disagrees. Independent apparatus claim 26 is operated in a polar solution, as defined in lines 2 and 3. Moreover, though the apparatus may be operated in an STM mode, the method claims of the Examiner's Group I do not preclude such use, and specifically define such operation in claim 21.

As such, Applicant believes the claims of Groups I and II should be examined together, and an indication to that effect is respectfully requested. Should the Examiner have any questions or wish to discuss this further, she is asked to please contact Applicant's representative at the number below.

No fees are believed to be due at this time, nevertheless, the Director is authorized to direct any fees associated with this or any other communication, or credit any overpayment, to Deposit Account 50-1170.

Respectfully submitted,



Jay G. Durst, Reg. No. 41,723

Dated: 6/18/04

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